



# Journal of the House

State of Indiana

119th General Assembly

Second Regular Session

Sixth Day

Wednesday Afternoon

January 13, 2016

The invocation was offered by Pastor Michael Kelley of Word of Truth Ministries in Milford, a guest of Representative Curt Nisly.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Woody Burton.

The Speaker ordered the roll of the House to be called:

Arnold	Kirchhofer
Austin	Klinker
Aylesworth	Koch
Bacon	Lawson
Baird	Lehe
Bartlett	Lehman
Bauer	Leonard
Behning	Lucas
Beumer	Lyness
Borders	Macer
Braun	Mahan
C. Brown	Mayfield
T. Brown	McNamara
Burton	D. Miller
Carbaugh	Moed <input type="checkbox"/>
Cherry <input type="checkbox"/>	Morris
Clere	Morrison
Cook	Moseley
Cox	Negele
Culver	Niezgodski
Davisson	Nisly
DeLaney	Ober
Dermody	Olthoff
DeVon	Pelath
Dvorak <input type="checkbox"/>	Pierce
Eberhart <input type="checkbox"/>	Porter
Ellington	Price
Errington	Pryor
Fine	Rhoads
Forestal	Richardson
Friend	Riecken
Frizzell <input type="checkbox"/>	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Slager <input type="checkbox"/>
Gutwein	Smaltz <input type="checkbox"/>
Hale	M. Smith
Hamm	V. Smith
Harman	Soliday
D. Harris	Speedy
Heaton	Stemler
Huston	Steuerwald
Judy <input type="checkbox"/>	Sullivan
Karickhoff	Summers <input type="checkbox"/>
Kersey	Thompson

Torr  
Truitt ☐

Wolkins  
Wright

VanNatter ☐  
Washburne  
Wesco

Zent  
Ziemke  
Mr. Speaker

Roll Call 9: 89 present; 11 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 14, 2016, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

## RESOLUTIONS ON FIRST READING

### House Resolution 3

Representative Lehman introduced House Resolution 3:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of rewriting Title 7.1 (Alcohol and Tobacco) of the Indiana Code.

*Whereas, In 1933 Prohibition was officially repealed with the passage of the 21st Amendment;*

*Whereas, In 1935 Indiana began to seek methods to regulate and control the alcohol industry so that it did not return to the excesses and abuses that led to Prohibition years before;*

*Whereas, A three-tier system was adopted to regulate the way in which alcohol goes from the manufacturer to the consumer;*

*Whereas, The introduction of the three-tier system and many of the "Blue Laws" in Indiana were a result of the Prohibition era;*

*Whereas, These laws were compromises between repealing Prohibition but still wanting to regulate the alcohol industry due to its potential dangers;*

*Whereas, Many of Indiana's alcohol laws date back to Prohibition-era regulations regarding the use and sale of alcohol;*

*Whereas, Title 7.1 contains many ambiguities, carve outs, and specific nuances making the code cumbersome and difficult to navigate; and*

*Whereas, Title 7.1 should clearly specify the identities and functions of the various stakeholders in the alcohol industry to meet the needs of our society: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the legislative council is urged to assign to the appropriate study committee the topic of rewriting Title 7.1 (Alcohol and Tobacco) of the Indiana Code.

The resolution was read a first time and adopted by voice vote.

**House Concurrent Resolution 8**

Representatives Thompson, Braun, V. Smith and Bacon introduced House Concurrent Resolution 8:

A CONCURRENT RESOLUTION urging the legislative council to assign to an appropriate study committee the topic of the determination of the time zone or time zones in which Indiana's 92 counties should be located.

*Whereas, Based on the geographical location of Indiana, the original designation for all of Indiana from 1883-1965 was the Central Time Zone;*

*Whereas, Existing technology in the mid-1960s prompted 80 Indiana counties to be redesignated to the Eastern Time Zone to facilitate financial transactions with, and television broadcast from, New York and the Eastern United States;*

*Whereas, While modern technology has negated the original convenience advantage of being in the Eastern Time Zone, the three-hour time difference with the West Coast that now exists year-round causes costly inconveniences in conducting direct business communications with the West Coast, California being the ninth largest economy in the world;*

*Whereas, Indiana's Constitution: Article 1, Bill of Rights, states that "all free governments are, and of right ought to be, founded on their (the People's) authority, and instituted for their peace, safety, and well-being";*

*Whereas, The excessive amount of morning darkness during the majority of the school year in Indiana's 80 Eastern Time Zone counties jeopardizes the safety of the 850,000 students living in those counties, and the sunlight schedule that is two hours out-of-sync with teens' biological clocks jeopardizes their educational well-being by compromising their ability to perform in school;*

*Whereas, An adverse sunlight schedule is a recognized contributing cause of several recently released statistics regarding Hoosiers' health, safety, and well-being: Hoosiers are the seventh most obese and least physically fit in the USA; Indiana teens have the highest death rate in the USA due to car crashes; Indiana teens have the second highest suicide attempt rate in the USA; and 50,000 Indiana students are chronic absentees each year, the majority due to truancy;*

*Whereas, Senate Bill 127 passed in 2005, directing the governor to petition the United States Department of Transportation to hold hearings to determine the "time zone or time zones in which Indiana's 92 counties should be located";*

*Whereas, The USDOT replied that it was the job of the Indiana General Assembly to determine where the time boundary within Indiana should be located and then bring a petition to them;*

*Whereas, 50 Indiana school boards and 25,000 Indiana citizens have signed a resolution in support of restoring Indiana to its original Central Time Zone;*

*Whereas, The issues of commerce, productivity, education achievement, student safety, and health are some of the issues adversely affected by time zone placements: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly urges the legislative council to assign to an appropriate study committee the topic of the determination of the time zone or time zones in which Indiana's 92 counties should be located.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

**INTRODUCTION OF BILLS**

With consent of the members, the following bills on Bill Lists 6 and 7 were read a first time by title and referred to the respective committees:

**SB 200** — Behning, Smith V  
Committee on Education

A BILL FOR AN ACT concerning education.

**HB 1004** — Behning, McNamara, Truitt  
Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning pensions and education.

**HB 1005** — DeVon, McNamara, Cook  
Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1375** — Niezgodski  
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1377** — Negele, Karickhoff  
Committee on Utilities, Energy and Telecommunications

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

**HB 1378** — Bosma  
Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1379** — Stemler, Clere  
Select Committee on Government Reduction

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**HB 1380** — Harris D, Kirchhofer  
Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

**HB 1381** — Harris D, Richardson  
Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1382** — Smaltz  
Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**HB 1383** — Smaltz  
Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1384** — Smaltz, Bartlett  
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

**HB 1385** — Koch  
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1386** — Dermody, GiaQuinta  
Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

**HB 1387** — Porter  
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1388** — GiaQuinta  
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law and to make an appropriation.

**HB 1389** — GiaQuinta  
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1390** — Smaltz, Bacon, Ober, Brown C  
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1391** — Nisly  
Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1392** — Wesco  
Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**HB 1393** — DeVon  
Committee on Public Policy  
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

**HB 1394** — Behning  
Committee on Education  
A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1395** — Behning  
Committee on Education  
A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1396** — Errington  
Committee on Public Health  
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1397** — Austin, Cox  
Committee on Education  
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

**HB 1398** — Austin  
Committee on Financial Institutions  
A BILL FOR AN ACT concerning state offices and administration.

**HB 1399** — Dermody, Eberhart, Austin  
Committee on Public Policy  
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

**HB 1400** — Speedy  
Committee on Ways and Means  
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and taxation.

**HB 1401** — Speedy  
Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning commercial law.

**HB 1402** — Riecken  
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1403** — Dermody  
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning property taxation.

**HB 1404** — Baird, Friend  
Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

**HB 1405** — DeVon  
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1406** — Smaltz  
Committee on Ways and Means  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1019, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1019 as introduced.)

Committee Vote: Yeas 13, Nays 0.

MAHAN, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1022, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1022 as introduced.)

Committee Vote: Yeas 13, Nays 0.

MAHAN, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1089, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 4.

Page 3, delete lines 26 through 32.

Re-number all SECTIONS consecutively.

(Reference is to HB 1089 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BORDERS, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1090, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1090 as introduced.)

Committee Vote: Yeas 11, Nays 0.

FRYE, Chair

Report adopted.

The House recessed until the fall of the gavel.

## RECESS

The House reconvened at 1:55 p.m. with the Speaker in the Chair.

## JOINT CONVENTION

The Speaker introduced Governor Mike Pence; Lt. Governor Sue Ellspermann; Senate Leadership, President Pro Tempore David Long and Minority Floor Leader Tim Lanane; House Minority Leader Scott Pelath; and the honored guests as follows:

Luke Rush, son of Chief Justice Loretta Rush; Jim Rush, husband of Chief Justice Loretta Rush; Helene Bishop, sister of Chief Justice Loretta Rush; Jan Aikman Dickson, wife of Justice Brent Dickson; Lawrence County Judge William Sleva; Lindsay Endris; Michelle Woodward, Lawrence County Prosecutor; Allen County Judge Francis Gull; Connie Lawson, Secretary of State; Suzanne Crouch, Auditor of State; Greg Zoeller, Attorney General; Kelly Mitchell, Treasurer of State; Mary Beth Bonaventura, Director of DCS; Doug Carter, Superintendent of Indiana State Police; Julia Orzeske, Executive Director of Continuing Legal Education; more than 60 trial court judges from around the state; Former Justices of the Supreme Court Randall Shepard and Frank Sullivan, Jr.; Federal Court judges: Sarah Evans Barker; Jane Magnus-Stinson; Robyn Moberly; and Tanya Walton Pratt.

The Speaker yielded the gavel to Lt. Governor, Sue Ellspermann, President of the Senate, who convened the joint session and presented the Chief Justice as follows:

Members of the Joint Assembly: Pursuant to Section 3 of Article 7 of the Constitution of the State of Indiana, this joint session of the two houses of the Indiana General Assembly is now convened for the purpose of hearing a message from the Chief Justice of Indiana. It is my privilege to present to you the Distinguished Chief Justice of Indiana, the Honorable Loretta Rush.

Chief Justice Rush was escorted to the rostrum by Senators Steele, Bray, Broden and Tallian, and Representatives Richardson, Kirchhofer, Harris and GiaQuinta.

## Constitutional Promise

Two hundred years ago, a handful of frontiersmen-turned-statesmen crafted the first Indiana Constitution. This governing document was powerful in its simplicity, and clear in its mandate: that justice be accomplished “speedily, and without delay.” Our forefathers understood that justice delayed meant justice denied. And they held that belief so dear, they made “prompt access to the courts” a basic right for all Hoosiers. Timely justice is not just a good idea or a noble

aspiration in Indiana, it’s a constitutional promise.

At that same time, the original three-judge Indiana Supreme Court first met in the Corydon State House in a courtroom that seated 20. Their docket included a stolen horse purchased at a sheriff’s sale (*Morgan v. Fencher*, 1 Blackf. 10), a squatter on land not yet purchased from the United States (*Boston v. Dodge*, 1 Blackf. 19), and an indictment for “unlawfully betting on a game of cards called Loo at Craig’s tavern in Brownstown” (*Durham v. State*, 1 Blackf. 33).

Our courts’ responsibilities evolved over the next 200 years to include an array of increasingly complex criminal, civil, family, and juvenile matters. But even more significantly, Hoosiers are seeking the courts’ assistance to resolve many social issues as well. In particular, we have become the emergency rooms for some of society’s worst afflictions, such as substance abuse, family violence, and mental illness.

Our trial court judges are on the front lines of those issues every day. They are called to carry out our constitutional mission of protecting individual rights and liberties, upholding and interpreting the rules of law, and providing fair hearings—“without delay”—in every single case that comes before them, every single day. Last year alone, that meant 1,350,909 cases.

As we stand at the threshold of our third century of statehood, our Hoosier courts will be called on to be more nimble, more affordable, more accessible, more tech savvy, and more user-friendly. Nothing less will do.

## Progress from 2015

Before we look at new reforms and challenges, I would like to briefly update you on three initiatives from last year:

Developing commercial courts designed to address complex business issues;

Expanding the use of technology; and

Continuing to strengthen our partnerships with you in implementing the massive criminal code reform.

First, commercial courts. As Kevin Brinegar of the Indiana Chamber of Commerce stated, “Businesses locate in states that resolve disputes consistently and reliably. Establishing commercial courts promotes confidence and predictability and keeps Indiana’s business environment competitive.” Last year, we laid the groundwork to make the possibility of commercial courts in Indiana a reality. This year, our first six commercial courts will start hearing cases. Please join me in thanking Mr. Brinegar, Representative Tom Washburne, Professor Frank Sullivan, Jr., and the entire hard-working committee of lawyers, legislators, academics, businesses, and judges who made this vision a reality for our State.

Second, court technology. Because of your budget support this past session, 2015 was a banner year for modernizing our courts to meet the charge of timely justice through the wise use of technology. We’ve continued integrating trial courts into a unified case management system. And already we have implemented the first electronic filing programs in Hamilton

County and all appellate courts. Next week, Clark County begins e-filing, soon followed by Harrison, Shelby, Wells, St. Joseph, and Henry counties. This intentional expansion will continue throughout the state, allowing the courts, the litigants, their attorneys, and the public quick, easy, accurate access to the courts. In just the first six months, nearly 12,000 documents were filed electronically. When fully implemented, tens of millions of pieces of paper will be no more.

Third, criminal code reform. The creation of the nine-member Justice Reinvestment Advisory Council, consisting of criminal justice and mental health policymakers, has made your vision of criminal code reform a reality. Johnson County Judge Cynthia Emkes says this new emphasis on collaboration brought major stakeholders in her community together for the first time. This team approach let Johnson County reassess how to allocate limited resources so they can better protect the public while also offering better services for offenders. The funding you have provided is already making a difference. Forty-three counties have added eighty-four new community correction and probation officers. Your wisdom is allowing for a long-needed expansion of problem-solving courts and offender-supervision programs. My judicial colleagues applaud your courage in taking on this reform for our State.

In addition to the progress we made on those three initiatives announced last year, your judiciary has ventured forward on many other fronts to improve daily life for all Hoosiers. Three ongoing efforts that I will highlight this afternoon concern our children and families, problem-solving courts, and information sharing.

#### Strengthening Families and Children

Central to any society is the health and welfare of its families and children. The role of Indiana courts has been evolving since 1903, when we became the second state in the nation to create juvenile courts. Our Indiana families face no shortage of challenges; but by working together we are addressing these challenges with common sense solutions.

Department of Child Services Director Mary Beth Bonaventura will tell you that our state last year experienced a 30% increase in the number of children entering the welfare system—primarily because of parental substance abuse. Timely justice for Indiana's most vulnerable children requires great attention from many entities—including the children having their own advocates in the courtroom. Court Appointed Special Advocates, or CASAs, are those children's voice. Even with over 350,000 hours from these volunteers on behalf of 18,600 children, we still have over 5,000 children without a CASA. Last session, you provided increased support for us to tackle this pressing demand, and we continue our work to expand this critical volunteer program.

Nearly a quarter of our Indiana children live in poverty, and a third live in single-parent households. Hoosier families depend on our Court to set workable and fair child support guidelines and to enforce child support orders. It's critical to those families' economic security—Indiana collected and distributed over a half-billion dollars in child support last year alone. Howard County's Judge Lynn Murray and her team of fourteen judges were assigned the daunting task of updating the child

support guidelines. They brought in experts and received extensive public input, and the result is one of the most comprehensive plans in the nation. In this instance, the guarantee of timely justice translates into a parent being able to pay rent or buy food for their child now—not two years from now.

We are proud to be the only state in the country that enjoys a Juvenile Detention Alternatives Initiative partnership involving all three branches of government. This program proves that enhancing public safety, saving taxpayer dollars, and improving outcomes for youth are not at odds. With your support, we have rapidly expanded this remarkable program—resulting in fewer children being incarcerated, lower recidivism rates, and fewer minors standing trial in the adult system. I'm sure you'll be pleased to know that the estimated savings to the Department of Correction, from this and other juvenile reforms, has steadily grown to over \$15 million annually.

For the fourth consecutive year, the Supreme Court opened trial courts across the state to news cameras to mark National Adoption Day in November. On that day, 135 children in 44 courts went home with a "forever family." Our goal in opening these trial courts is twofold: to raise awareness of the importance of adoption and of our State's ongoing need for loving families for children in foster care.

#### Growth and Success of Problem-Solving Courts

Indiana's juvenile courts were the very first problem-solving courts, long before anyone coined that term. And we are still a pioneer in problem-solving courts—they are one of our judiciary's greatest success stories. Participants in these veteran, drug, mental health, family violence, or re-entry courts take part in intensive treatment programs, under direct court supervision. These courts are particularly vital to honoring our constitutional promise of reformatory justice.

You'll remember Specialist Christopher Bunch who had just graduated from a problem-solving court himself when I addressed you last year. I am happy to report he is doing well. Christopher and his wife just closed on their first house, and he asked me to deliver this message to you: "If it wasn't for Judge Maria Granger and Veteran's Court, this all would not have been possible."

We held an inaugural Veteran's Court Summit at the Indiana War Memorial last summer, bringing together veterans' groups, judges, and prosecutors. At the Summit, I was particularly touched by Judge Jonathan Cleary of Dearborn County, who described his appreciation for veteran's courts by saying that if there is a court in heaven, he hopes it is a veteran's court.

Based on successes like those, it's not surprising you asked us to expand veteran's courts, and we have. Nineteen new or expanded veterans courts will bring us to a total of seventy-nine problem-solving courts statewide. Indiana has more veterans per capita than most states. Our pledge to you is that we will not be satisfied until all qualified veterans have access to these courts in Indiana.

Indiana's Drug Crisis: Crippling Communities and Flooding

## Courts

This past year, my Supreme Court colleagues and I traveled the state to hear from our trial court judges from all 92 counties. They shared with us what became a recurring theme: the drug crisis, particularly heroin and methamphetamine, crippling their communities and flooding their courts. Wayne County Judge Dave Kolger told us that in his 20 years as a prosecutor, he handled a total of 20 heroin cases. Today, as a judge, he has heroin cases in his court daily. Fayette County Judge Paul Freed lamented that his county of 23,000 had 30 heroin overdoses in 30 days.

Lawrence County Judge William Sleva shared with me the story of 28-year-old Lindsay Endris. What started as a prescription to treat pain led to an addiction to heroin. As a result, Lindsay was arrested and lost her job as a first grade teacher, lost custody of her children, and lost her home. At that time she said, "My reputation was gone. I was an A student, an overachiever. I was heartbroken by the gravity of what I had done."

But things changed when Lindsay was admitted to drug court. She says, "Drug court made me accountable. I had structure. This wasn't just about getting sober, it was about coming to grips with what caused me to use."

On October 29, 2015, Lindsay graduated from the Lawrence County Drug Court. Senator Brent Steele and Representative Eric Koch were in attendance to celebrate with Lindsay. Many of you have attended other problem-solving court graduations, and you know how powerful they are. At her graduation, Lindsay said:

I stand before you today; proof that addiction can happen to anyone regardless of a person's upbringing, economic status, or values instilled when growing up. I am also proof that despite how addiction can destroy your life, working a program such as drug court can and will restore your crumbling life.

Today, Lindsay is back caring for her children, working as an office manager, and paying off her student loans and other debts. She is even organizing a drug recovery program through her church. Lindsay told me, "I am now building up my reputation. I'm building it back up in a different way—by helping people."

Please welcome Lindsay, her drug court Judge William Sleva, her prosecutor Michelle Woodward, along with her drug court team who are all here today. You are all part of Lindsay's success.

We are replicating this drug court model in other parts of the state where courageous leaders sign on to a program that is about rehabilitation, not punishment. We cannot afford to incarcerate or institutionalize our way out of this drug crisis. Our approach must include helping sons, daughters, husbands, and wives return to a life after addiction. There are no easy answers, but your courts stand ready to help communities bring productivity back to those who have lost their way.

## Information Sharing to Guide Sound Decision-Making

All of the successful programs we talked about today have two things in common: hard-working Hoosiers and access to reliable information. In this century, timely justice and sound decision-making demand instant access to accurate information. Judges need reliable information, and we know you do too. Court information, such as offender demographics, is not used by the judiciary alone; we share it with our local, state, and federal partners to aid in your policy-making decisions. Current examples include:

The Governor's Management Performance Hub, which is using court data to study recidivism;

The Legislative Services Agency, which is considering felony and misdemeanor convictions for fiscal impact; and

The Indiana State Department of Health and the Centers for Disease Control and Prevention, which are compiling information from court records to build a more complete picture of the state's high rate of suicide.

The Court's main data sharing program, called INCite, has 30 applications. I would like to share a few examples of how they are used:

When Hendricks County Judge Robert Freese sentences a felon, he can be assured that the inmate's DNA has been processed by the State Police and, in turn, shared with other states and the FBI.

When Cass County Judge Richard Maughmer enters a protective order, the victim gets a text message when that order has been served on the offender.

When Clark County Judge Vicki Carmichael has a defendant before her, she can immediately verify whether there is an outstanding warrant from another court.

When Henry County Judge Mary Willis needs to know if a child has appeared before another judge in another county, she has that vital information at her fingertips.

When Allen County Judge Fran Gull empanels a jury, she can be sure it is the most inclusive and diverse possible, because she uses the juror list available through our INCite application. And we're all glad that she has access to that master list, because that same Judge Gull recently received a national award for her effort to make jury service more efficient and user-friendly.

In all these instances, court data is key to the efforts of all three branches of government. We will continue to collect and share court information to help policymakers at all levels in their respective efforts toward building safer and healthier communities in our State.

## Court Civic Outreach: Strengthening Hoosier Communities

As we consider our constitutional mission, set 200 years ago, we must also focus on where we go next. And I am reminded of when I first became a trial court judge. Chief Justice Randall

Shepard, at that time, encouraged trial court judges to get out from behind the bench and work within our communities. He promoted court outreach programs, designed to improve civic engagement—a tradition we continue today. In this past year alone:

Dozens of trial and appellate judges walked out of the courtroom and into the classroom on Constitution Day to teach thousands of students about our founding document.

The Supreme Court and Court of Appeals hit the road and heard oral arguments across the state, reaching thousands of students. Many of you joined us at these real-world civics lessons, where the students' insightful questions demonstrated great hope for improved civic engagement.

Appellate and trial courts reached thousands more students through local schools, the Capitol Tour Office, programming at the State Fair, and Statehood Day. Perhaps something as simple as trying on a robe, or sitting at a judge's bench for a picture, is what will inspire and energize the next generation to become meaningfully engaged in their home communities.

This bicentennial year offers a wide range of opportunities for a deeper level of civic engagement and celebration. In April, our Court will hear a modern case in a historic setting. The case we'll hear that day is not likely to be about a stolen horse or playing "Loo" at the local tavern, but we will hear a case in our original home court in Corydon. We are working with the Department of Education to webcast the argument to classrooms across the state—again using partnerships and technology to promote our Court's mission.

#### Honoring a Constitutional Scholar

In two centuries of statehood, only a handful of justices have served this Court more than 25 years. As we revisit our origins and return to our state's first courtroom in April, what better time, or more fitting place, to honor the second longest-serving justice in state history—Justice Brent Dickson. He is retiring this year after 30 years on the Indiana Supreme Court, including having served as Chief Justice.

During his historic tenure, Justice Dickson has been instrumental in refining Indiana law. With nearly 900 opinions, his body of work reflects the many ways courts are called to bring clarity and certainty to nearly every facet of the law. His majority opinions range from property rights (*Fraley v. Minger*, 2005) to property tax (*Boehm v. Town of St. John*, 1996); from auto insurance (*Tate v. Secura Ins.*, 1992) to tort law (*Cowe v. Forum Group, Inc.*, 1991); and a broad gamut in between. And Justice Dickson has helped give form and substance to our state's unique constitutional guarantees—of equal privileges and immunities (*Collins v. Day*, 1994); voting rights (*League of Women Voters v. Rokita*, 2010); criminal-law protections against double jeopardy (*Richardson v. State*, 1999); and more recently, public education (*Bonner v. Daniels*, 2009); school vouchers (*Meredith v. Pence*, 2013); and strict separation of powers (*Berry v. Crawford*, 2013).

Justice Dickson has shaped the heart of Indiana law for years to come through careful opinions, keen insight, intelligence, unswerving ethics, tireless work, and dedication to the rule of

law. He has further led administrative reforms including dispute resolution through mediation, pretrial release, and promoting volunteer legal services for the poor.

Hearing his final argument in the Corydon courtroom befits a man who has spent his career upholding the framers' Constitution. Our entire state owes its thanks to Justice Dickson and his wife Jan, a leader in her own right as founder of the Judicial Family Institute.

#### Conclusion

2016 promises to be a year of progress on many fronts, including the few I have touched on today. We will also be working hard to improve access to courts for unrepresented litigants; to better meet the needs of non-English-speaking litigants; and to reorganize our administrative structures to provide more efficient and effective services to Hoosiers seeking justice.

Our courts are neither perfect nor infallible. But each day we must reach for that goal of perfection, because our mission is critical to a free society, and to the Constitution which blessed the birth of our state 200 years ago. Our predecessors, those frontier statesmen, toiled to build a state served by a timely, effective justice system. Let's do our part, continuing to work together to preserve safe communities, a thriving economy, and the integrity of our Hoosier courts.

Thank you, and may God richly bless this state that we so love.

The House recessed until the fall of the gavel.

#### RECESS

The House reconvened at 2:54 p.m. with the Speaker in the Chair.

#### OTHER BUSINESS ON THE SPEAKER'S TABLE

##### Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bill 1089 had been referred to the Committee on Ways and Means.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Steuerwald be added as coauthor of House Bill 1001.

#### SOLIDAY

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Harman be added as coauthor of House Bill 1022.

#### BAUER

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representatives Wolkins, Heaton, Niezgodski be added as coauthors of House Bill 1046.

BEUMER

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Riecken be added as coauthor of House Bill 1049.

BACON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representatives Lawson, Washburne, Pierce be added as coauthors of House Bill 1102.

STEUERWALD

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Bill 1107.

HALE

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative M. Smith be added as coauthor of House Bill 1110.

HUSTON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as coauthor of House Bill 1120.

BAUER

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Hamm be added as coauthor of House Bill 1136.

LEHMAN

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1173.

NEGELE

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Bill 1177.

KIRCHHOFFER

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Richardson be added as coauthor of House Bill 1179.

D. HARRIS

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Mayfield be added as coauthor of House Bill 1180.

BURTON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Zent be added as coauthor of House Bill 1187.

MOSELEY

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Lawson be added as coauthor of House Bill 1233.

OLTHOFF

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Judy be added as coauthor of House Bill 1250.

SCHAIBLEY

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Wright be added as coauthor of House Bill 1355.

ERRINGTON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1365.

SULLIVAN

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Cox be removed as coauthor of House Bill 1397.

AUSTIN

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Cox be added as coauthor of House Bill 1398.

AUSTIN

Motion prevailed.



**HOUSE MOTION**

Mr. Speaker: I move that Representative Smaltz be added as coauthor of House Concurrent Resolution 3.

**BAIRD**

Motion prevailed.

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bill 200, and the same is herewith transmitted to the House for further action.

**JENNIFER L. MERTZ**  
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Porter, the House adjourned at 2:57 p.m., this thirteenth day of January, 2016, until Thursday, January 14, 2016, at 10:00 a.m.

**BRIAN C. BOSMA**  
Speaker of the House of Representatives

**M. CAROLINE SPOTTS**  
Principal Clerk of the House of Representatives